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Of Counsel:
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MILLION DOLLAR ADVOCATES FORUM

MULTI-MILLION DOLLAR ADVOCATES FORUM

The Top Trial Lawyers in America™

Rick W. Bisher, Esq.

Admitted to the United States Supreme Court and
all Federal and State District Courts in Oklahoma
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Wednesday, September 22, 2021

J Mark McAlester
Fenton, Fenton, Smith, Reneau & Moon
Leadership Square
211 North Robinson, Suite 800N
Oklahoma City, OK 73102

Re: Wichert vs. Liberty Mutual

Dear Mr. McAlster

I hope this finds you well. I am not sure if you are engaged in the evaluation of Brandon's uninsured motorist claim, however on August 8, 2021 you sent me a letter that served as a response to my July 10, 2021 correspondence to the carrier and as "an update on the status of this matter". You stated that you were in the process of obtaining the "medical information from the known medical providers" and that you had also "contacted counsel for the worker's compensation insurance carrier in order to obtain all medical records, pleadings, and other relevant documents the insurance carrier may have in their possession." Based on your correspondence I am therefore sending this letter to you and Karen Lyons, the adjustor I understand is assigned to the claim.

Despite the fact that the activity outlined above could have, and should have, been conducted much earlier, Liberty Mutual continues in its failure to provide its insured, Brandon, with an evaluation of his uninsured motorist claim, or tender an undisputed amount. Liberty Mutual should be most aware that the nondelegable duty of good faith, despite the filing of the petition, requires it to promptly evaluate and pay Brandon's claim. The duty of good faith and fair dealing exists *during the time the claim is being reviewed*. *Garnett v. Government Employees Insurance Co.*, 186 P.3d 935 (Okla. 2008); *Hale v. A.G. Ins. Co.*, 138 P.2d 567 (Okla. App. 2006); *Newport v. USAA*, 11 P.3d 190 (Okla. 2000); *Skinner v. John Deere Ins. Co.*, 998 P.2d 1219 (Okla. 2000); *Buzzard v. Farmers Ins. Co.*, 824 P.2d 1105 (Okla. 1992).

In any event I am enclosing a copy of the proof of service for your file and again, Brandon requests an evaluation of his claim by his carrier.

Practice Areas: Personal Injury · Workers' Compensation · Social Security · Auto Accidents · Nursing Home/Medical
Negligence · Insurance Bad Faith · Product Liability · Wrongful Death · Catastrophic Injury Cases ·

EXHIBIT "21"

Respectfully,



Rick W. Bisher

RB:rb

Enclosure

Cc:

Karen Lyons

Liberty Mutual Insurance - San Diego, CA

PO Box 515097

Los Angeles, CA 90051

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

BRANDON WICHERT)

Plaintiff,)

v.)

OHIO SECURITY INSURANCE)
COMPANY, an affiliate or subsidiary)
of LIBERTY MUTUAL INSURANCE)
COMPANY)

Defendant.)

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

SEP 22 2021

Case No.: CJ-2021-3325
Judge Cindy H. Truong

RICK WARREN
COURT CLERK

109 _____

PROOF / RETURN OF SERVICE

I certify that I mailed copies of the Petition and Summons via certified mail, return receipt requested, postage prepaid, on the 1st day of September 2021 to:

Ohio Security Insurance Company
c/o Oklahoma Insurance Department
400 N.E. 50th Street
Oklahoma City, OK 73105

Service was completed by delivery on the 3rd day of September 2021 as evidenced by the attached Return Receipt.


Dimples Carson

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and forgoing document was sent by U.S. Mail to the following on the 22nd day of September 2021.

J. Mark McAlester
Fenton Fenton Smith Reneau & Moon
211 North Robinson, Suite 800N
Oklahoma City, OK 73102-7106


Dimples Carson

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p><i>Oklahoma Insurance Dept</i> <i>400 NE 50th Street</i> <i>OKla City) OK 73105</i></p> <p>2. Article Number (Transfer from service label)</p> <p><i>7019 1120 0001 7799 4321</i></p>		<p>A. Signature</p> <p><i>X [Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>SEP 03 2021</i></p> <p><i>OKLAHOMA INSURANCE DEPT.</i></p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>			

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

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<p><i>OKLAHOMA CITY OK 73105</i></p> <p><i>SEP 03 2021 PM 5 L</i></p> <p>9590 9402 5814 0034 7721 86</p>	<p>First-Class Mail Postage & Fees Paid USPS Permit No. G-10</p>
<p>United States Postal Service</p> <p>RECEIVED <i>SEP 07 2021</i></p> <p>BY: <i>JC / Wichert</i></p>	<p>• Sender: Please print your name, address, and ZIP+4® in this box</p> <p>SCANNED</p> <p>RYAN BISHOP RYAN & SIMONS Attorneys at Law 4323 N.W. 63rd Street, Suite 110 Oklahoma City, OK 73116</p>



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Attorneys at Law

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Wednesday, September 22, 2021

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Fenton, Fenton, Smith, Reneau & Moon
Leadership Square
211 North Robinson, Suite 800N
Oklahoma City, OK 73102

Re: Wichert vs. Liberty Mutual

Dear Mr. McAlster

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RB:rb

Enclosure Case 5:21-cv-00976-D Document 15-21 Filed 01/26/22 Page 6 of 8

Cc:

Karen Lyons ✓

Liberty Mutual Insurance - San Diego, CA

PO Box 515097

Los Angeles, CA 90051

**Practice Areas: Personal Injury · Workers' Compensation · Social Security · Auto Accidents · Nursing Home/Medical
Negligence · Insurance Bad Faith · Product Liability · Wrongful Death · Catastrophic Injury Cases ·**

Plaintiff,

SEP 22 2021

v.

Case No.: CJ-2021-3325

Judge Cindy H. Truong

RICK WARREN
COURT CLERKOHIO SECURITY INSURANCE
COMPANY, an affiliate or subsidiary
of LIBERTY MUTUAL INSURANCE
COMPANY

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Defendant.

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Oklahoma City, OK 73102-7106


Dimples Carson

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<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>			

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<p>United States Postal Service</p> <p>RECEIVED <i>SEP 07 2021</i></p> <p>BY: <i>Jc / Wichert</i></p>		<p>• Sender: Please print your name, address, and ZIP+4® in this box</p> <p>RYAN BISHER RYAN & SIMONS Attorneys at Law 4323 N.W. 63rd Street, Suite 110 Oklahoma City, OK 73116</p> <p>SCANNED</p>